

ASSEMBLY BILL

No. 197

Introduced by Assembly Member Strickland

January 27, 2003

An act to amend Section 12419.10 of the Government Code, relating to offset payments.

LEGISLATIVE COUNSEL'S DIGEST

AB 197, as introduced, Strickland. Offset payments.

Existing law requires the Controller, to the extent feasible, to offset any amount overdue and unpaid for, among other things, vehicle parking penalties from a person or entity against tax refunds and lottery winnings. Existing law requires the Controller to prescribe standards and procedures for the submission of requests for offsets.

This bill would require any request for an offset for a vehicle parking penalty to be submitted within 3 years of the date the penalty was incurred.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12419.10 of the Government Code is
2 amended to read:
3 12419.10. The Controller shall, to the extent feasible, offset
4 any amount overdue and unpaid for a fine, penalty, assessment,
5 bail, vehicle parking penalty, or court-ordered reimbursement for
6 court-related services, from a person or entity, against any amount
7 owing the person or entity by a state agency on a claim for a refund

1 from the Franchise Tax Board under the Personal Income Tax Law
2 or the Bank and Corporation Tax Law or from winnings in the
3 California State Lottery. Standards and procedures for submission
4 of requests for offsets shall be as prescribed by the Controller. *Any*
5 *request for an offset for a vehicle parking penalty shall be*
6 *submitted within three years of the date the penalty was incurred.*
7 Whenever insufficient funds are available to satisfy an offset
8 request, the Controller, after first applying the amounts available
9 to any amount due a state agency, may allocate the balance among
10 any other requests for offset.

11 The Controller shall deduct and retain from any amount offset
12 in favor of a city or county an amount sufficient to reimburse the
13 Controller, the Franchise Tax Board, the California State Lottery,
14 and the Department of Motor Vehicles for their administrative
15 costs of processing the offset payment.

16 Notwithstanding Chapter 3.5 (commencing with Section 6250)
17 of Division 7 of Title 1, or any other provision of law, the social
18 security number of any person obtained pursuant to Section 4150,
19 4150.2, or 12800 of the Vehicle Code is not a public record and
20 shall only be provided by the Department of Motor Vehicles to an
21 authorized agency for the sole purpose of making an offset
22 pursuant to this section for any unpaid vehicle parking penalty or
23 any unpaid fine, penalty, assessment, or bail of which the
24 Department of Motor Vehicles has been notified pursuant to
25 subdivision (a) of Section 40509 of the Vehicle Code or Section
26 1803 of the Vehicle Code, responding to information requests from
27 the Franchise Tax Board for the purpose of tax administration, and
28 responding to requests for information from an agency, operating
29 pursuant to and carrying out the provisions of, Part A (Aid to
30 Families with Dependent Children), or Part D (Child Support and
31 Establishment of Paternity) of Subchapter IV of Chapter 7 of Title
32 42 of the United States Code. As used in this section, “authorized
33 agency” means the Controller, the Franchise Tax Board, or the
34 California Lottery Commission.

